

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CRAIG K. GARRETT,

Plaintiff,

v.

PAT HORN, Warden of Kern Valley State
Prison, et al.,

Defendants.

Case No. 1:25-cv-00128 JLT HBK (PC)

ORDER DIRECTING PLAINTIFF TO PAY
FILING FEE WITHIN 21 DAYS

On April 18, 2025, the Court adopted Findings and Recommendations (“F&R”) denying Plaintiff’s application to proceed *in forma pauperis* and ordered Plaintiff to pay the filing fee in this action. (Docs. 13, 16.) On May 2, 2025, Plaintiff appealed the Order adopting the F&R and simultaneously filed a Motion for Relief from Judgment under FRCP 60 (“Motion”). (Docs. 17, 18.) On July 3, 2025, the Court denied Plaintiff’s Rule 60 Motion. (Doc. 22.) On October 23, 2025, the Ninth Circuit Court of Appeals issued an order dismissing Plaintiff’s appeal. (Doc. 23.) The mandate of the Ninth Circuit is now in effect. (*Id.* at 1 (noting Order becomes the mandate of the court in 21 days).)

The filing fee must be paid for this action to proceed. *See Saddozai v. Davis*, 35 F.4th 705, 709 (9th Cir. 2022). Accordingly, the Court **ORDERS** that Plaintiff **SHALL** pay the filing fee within 21 days. Failure to do so will result in dismissal of the action. Based on the amount of time that has passed since the Court ordered payment of the filing fee, the Court will not entertain

1 any requests for extensions of time to pay the fee.

2
3 IT IS SO ORDERED.

4 Dated: **December 4, 2025**


UNITED STATES DISTRICT JUDGE